AF/3738

Attorney Docket No. 31132.59/PC904.03
CUSTOMER NO. 27683

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bryan et al.	§	Customer No. 27683
Ser. No.: 09/776,394	§	Group Art Unit: 3738
Filed: February 2, 2001	§	Examiner: Stewart, Alvin J.
For: HUMAN SPINAL DISC PROSTHESIS	§	

TRANSMITTAL

Mail Stop AF
Commissioner For Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed are the following documents regarding the above-identified patent application:

1. Response to April 15, 2003 Final Office Action;
2. This transmittal in duplicate; and
3. Return postcard.

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the papers submitted herewith or to credit any overpayment to Deposit Account No. 08-1394.

Respectfully submitted,

David M. O'Dell
Registration No. 42,044

Dated: June 2, 2003

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on June 2, 2003.

B E Boyle
Bonnie E. Boyle

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RESPONSE TO FINAL OFFICE ACTION

Mail Stop AF
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

In response to the Final Office Action mailed April 15, 2003, please consider the following amendments and remarks:

In the claims:

Please cancel claim 16 and amend the following claims:

4. (Amended Four Times) A method of surgery comprising:

forming concave, non cylindrical surfaces in the endplates of confronting vertebral bodies;

inserting between the formed concave surfaces an intervertebral disc endoprosthesis including:

confronting supports, each support having an exterior convex surface adapted to mate with one of the formed concave surfaces; and

a resilient body interposed between the supports;

prior to forming the concave, non cylindrical surfaces in the vertebral body endplates, implanting at least one anchor into a hole having a predetermined position in an anterior surface of at least one adjacent vertebral body; and